

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DYSON, INC.,

Plaintiff,

V.

MAYTAG CORPORATION,

Defendant.

Civil Action No. 06-CV-6576(DC)

DECLARATION OF MICHAEL B. MAZIS, PH.D.

I, Michael B. Mazis, Ph.D., do under oath state as follows:

1. I was asked by Manatt, Phelps & Phillips, LLP, counsel for Dyson, Inc., to conduct a survey to assess consumer perception of the disclaimer that was used in conjunction with the “no loss of suction” claim on the box of the Hoover Fusion vacuum cleaner. As a result, I conducted a survey in eight cities among 208 recent or prospective new upright vacuum cleaner purchasers. A summary of my qualifications and the results of my survey follow.

SUMMARY OF QUALIFICATIONS AND EXPERIENCE

Credentials and Expertise

2. I am Professor of Marketing at the Kogod School of Business, American University. I have been a faculty member at American University for over 25 years, and I have served over 10 years as chair of the Department of Marketing. For over a decade, I have taught undergraduate and graduate courses in marketing research. These courses focus on research

methodology, questionnaire development, sampling, and data analysis. I have also taught a graduate course in qualitative marketing research, which focuses primarily on focus group research. In addition, I have taught courses in consumer behavior, principles of marketing, marketing management, and Internet marketing. Attached to this declaration is a current copy of my curriculum vitae, which contains a complete description of my professional background. (See Exhibit A.)

3. I received my B.S. degree in Economics from the University of Pennsylvania, my M.B.A. degree from New York University, and my Ph.D. degree in Business Administration from Pennsylvania State University.

4. From 1976 to 1979, I served as an in-house marketing expert at the Food and Drug Administration ("FDA") and at the Federal Trade Commission ("FTC"), where I evaluated consumer perception of companies' advertising and other promotional materials, designed and conducted consumer research surveys, and evaluated surveys submitted by companies seeking to substantiate advertising claims. I continue to serve as a consultant for the FTC, having served as the FTC's principal marketing witness in *FTC vs. Novartis* in 1997, *FTC vs. Trans Union* in 1998, *FTC vs. Mercury Marketing* in 2003, and *FTC vs. Telebrands* in 2004. I have also served as a consultant on marketing research and consumer behavior for the FDA, Consumer Product Safety Commission, Department of Justice, U. S. Mint, Bureau of Alcohol, Tobacco, and Firearms, and the State of California.

5. I have also worked as a marketing research analyst for the Warner-Lambert Pharmaceutical Company. In this position, I designed marketing research surveys and focus group studies.

6. I am a member of the American Marketing Association and a member and former director of the Association for Consumer Research. I was editor of the *Journal of Public Policy & Marketing* from 1992 to 1995, and I was Associate Editor of *The Journal of Consumer Affairs* from 1998 to 2001.

7. I have published over 60 articles in academic journals and conference

proceedings. My research has been published in the *Journal of Marketing*, *Journal of Consumer Research*, *Journal of Marketing Research*, *Journal of Public Policy & Marketing*, *The Journal of Consumer Affairs*, *Journal of Personality and Social Psychology*, *Journal of Experimental Social Psychology*, and *Journal of the American Medical Association*. In addition, I have spoken on designing consumer perception surveys at conferences sponsored by the American Marketing Association, American Bar Association, and Council of Better Business Bureaus (National Advertising Division).

SUMMARY OF EXPERT OPINION

8. I conducted a survey of 208 recent or prospective new upright vacuum cleaner purchasers. The survey was conducted in eight geographically dispersed U.S. shopping malls, and it was designed to assess consumer recall and comprehension of the disclaimer that was used in conjunction with the “no loss of suction” claim on the Hoover Fusion box. While “no loss of suction” was a prominent claim on the box of the Hoover Fusion vacuum cleaner, the accompanying disclaimer was neither recalled frequently nor comprehended often by consumers. Of the 123 consumers who reported noticing the “no loss of suction” claim, only about one in seven (14.6%) reported noticing the disclaimer. Less than one in twenty consumers (4.1%) who reported noticing the “no loss of suction” claim recalled the key elements of the message conveyed in the disclaimer. Moreover, when consumers were asked specifically to read the disclaimer, comprehension was relatively poor. Most consumers who were asked “what percentage of the dirt cup do you think ten ounces of dirt would fill” replied either that they didn’t know (28.8%) or that they believed that 10 ounces of dirt would fill 50% or more of the dirt cup (44.2%). Less than a quarter of respondents (23.6%) believed that 10 ounces of dirt would fill one-third or less of the dirt cup, and 15.8% felt that 10 ounces of dirt would fill 25% or less of the dirt cup.

CONSUMER SURVEY

Research Objectives

9. The survey that I conducted was designed to determine to what extent consumers noticed the disclaimer used in conjunction with the “no loss of suction” claim on the Hoover Fusion box. For those consumers who claimed to have noticed the disclaimer that appeared at the bottom of the Hoover Fusion box, the survey assessed the level of consumer recall of the disclosure message. In addition, the survey reported to what extent consumers comprehended the message conveyed by the disclaimer.

Universe and Sample

10. The universe for the study consisted of recent upright vacuum cleaner purchasers or prospective upright vacuum cleaner purchasers. Interviews were conducted with 208 respondents in eight shopping malls across the U. S. Approximately one-quarter of the interviews were conducted in each of the four U.S. Census regions. These shopping malls were located in the following cities:

Northeast

- New York, NY
- Philadelphia, PA

South

- Atlanta, GA
- Tampa, FL

Midwest

- Milwaukee, WI
- Minneapolis, MN

West

- Los Angeles, CA
- Phoenix, AZ

11. Interviews were conducted August 24-31, 2006. The study was “double blind.” Neither the interviewer nor the respondent was aware of the identity of the client or the purpose of the study.

“Screening” Questionnaire

12. Interviewers used a “screening” questionnaire, which consisted of questions to determine whether potential respondents were qualified to participate in the study. (See Exhibit B.) Potential respondents had to have purchased in the past 12 months or had to have planned to purchase in the next 12 months a new upright vacuum cleaner costing \$100 or more. In addition, survey participants had to have decided or helped to have decided (or likely to decide or likely to help to decide) which upright vacuum cleaner to purchase. Potential respondents were excluded from participation if they or members of their households worked for an advertising agency, a public relations firm, a marketing research firm, a manufacturer or distributor of vacuum cleaners, or a store that sells vacuum cleaners. Potential respondents were also excluded if they had participated in a marketing research survey other than a political poll in the past three months. They were also excluded if they wore eyeglasses or contact lenses for reading but did not have their corrective eye wear with them at the time of the interview. Those potential respondents who were qualified to participate in the study based on their responses to the “screening” questionnaire were administered the “main” questionnaire.

“Main” Questionnaire

13. Respondents who qualified for the study were escorted to the interviewing facility maintained by the research organization and were administered the “main” questionnaire. (See Exhibit C.) The same questions were included in all of the questionnaires, but the order of some of the questions was varied to control for potential order bias.

14. At the start of the “main” questionnaire, the interviewer said:

Assume that you are in a store looking for a new upright vacuum cleaner, and you see a product that you might be interested in purchasing. I'm going to show you a box of this upright vacuum cleaner, which you may or may not have seen before. Whether or not you have seen this vacuum cleaner before, please read the information on the box as you would if you considering purchasing this upright vacuum cleaner. Read the information on all four sides of the box. When you are finished, please let me know, and I will have a few questions for you.

15. After the respondent had finished reading the information on the Hoover Fusion box, it was removed from sight. Then, the interviewer said:

Now, I'm going to ask you some questions. There are no right or wrong answers to my questions. If you don't have an opinion or don't know an answer, please just tell me rather than taking a guess.

Then, respondents were asked an open-ended question: "Please tell me all of the information that you can remember reading on the vacuum box." This question was followed by the probe: "What else?" (Q1).

16. The next two questions were:

Do you or don't you recall seeing any information on the box about "no loss of suction"?
Do you or don't you recall seeing any information on the box about "HEPA filtration"?
(Q2a and Q2b)

The order of these two questions was rotated so the one half of the respondents was asked first the question about "no loss of suction" and one half of the respondents was asked first the question about "HEPA filtration." The question about "HEPA filtration" served as a control question (to adjust for guessing), since there was no information on the Hoover Fusion box about HEPA filtration.

17. Then, respondents were asked some questions about their recall of the disclaimer. Respondents were asked: "Do you or don't you recall seeing a footnote with an asterisk at the bottom of the box?" (Q3). Respondents who answered affirmatively were asked: "What did the footnote at the bottom of the box say?" "What else?" (Q3a). Next, respondents were asked

whether they recalled key information in the disclaimer: “Do you or don’t you recall any information on the box that referred to ‘10 ounces of dirt?’”¹ (Q4). Respondents who answered affirmatively were asked: “What did the information on the box say about ‘10 ounces of dirt?’” “What else?” (Q4a).

18. Finally, respondents were shown the Hoover Fusion box for a second time, and they were asked about their comprehension of the disclaimer. While the box was in front of the respondent, the interviewer said pointing to the disclaimer:

I’d like you to read this information in the footnote. When you are finished, please let me know, and I will have some questions for you about the information.

The information in the footnote states that “suction stays constant for up to 10 ounces of dirt.” What does this phrase mean to you? What else? (Q5a).

What percentage of the dirt cup do you think 10 ounces of dirt would fill? (Q5b).

Procedures and Validation

19. Target Research Group, under my supervision, prepared separate instructions for interviewers and their supervisors. (See Exhibit D.) Target Research Group, Inc., founded in 1986, is a full-service marketing research company with headquarters in Nanuet, NY. Before starting work on the study, each interviewer was required to read the interviewer instructions, to attend a personal briefing at which interviewing procedures were discussed in detail, and to complete a practice interview. The trained interviewers administered the questionnaire and recorded each participant’s response to each question.

20. Validation was conducted by attempting to re-contact respondents to verify that they had participated in the study and that they were qualified to participate. The names and

¹ The disclaimer stated: “Suction stays constant for up to 10 ounces of dirt, as tested by an independent laboratory using ASTM F558 test method and a dirt composition comprised of 70% mineral dust, 20% cellulose dust and 10% fibrous material.

telephone numbers of all respondents who had provided them were sent to Field Solutions, an interviewing service not affiliated with Target Research Group, to conduct telephone validation. They attempted to validate 100% of the interviews. In conducting the validation telephone calls, a minimum of three attempts were made to re-contact all respondents. Validation is ongoing and has not yet been completed.

Results

21. Respondents were queried about whether they had recalled “seeing any information on the box about “no loss of suction” (Q2a/Q2b). One hundred and twenty-three (123) of the 208 respondents (59.1%) stated that they had recalled seeing the “no loss of suction” claim on the Hoover Fusion box. The remaining respondents answered “no” (36.1%) or “don’t know” (4.8%).

22. Respondents were also asked about whether they had recalled “seeing any information on the box about “HEPA filtration” (Q2a/Q2b). This served as the control question to adjust for guessing. Forty-six (46) of the 208 respondents (22.1%) indicated that they had recalled (falsely) seeing “HEPA filtration” on the Hoover Fusion box. The remaining respondents answered “no” (69.7%) or “don’t know” (8.2%). Therefore, adjusting for responses to the control question, 37% (59.1% - 22.1%) of respondents surveyed recalled seeing the “no loss of suction” claim on the Hoover Fusion box.

23. Next, respondents were asked whether they recalled “seeing a footnote with an asterisk at the bottom of the box” (Q3). Overall, 23 of 208 respondents (11.1%) indicated that they had seen the disclaimer. In addition, 18 of the 123 respondents (14.6%) who stated that they had seen the “no loss of suction” claim reported that they had seen the disclaimer.

24. Then, respondents who reported seeing the disclaimer were asked to tell the interviewer “What did the footnote at the bottom of the box say?” (Q3a). Recall of the

disclaimer was extremely poor. Only five of the 123 respondents (4.1%) who stated that they had seen the “no loss of suction” claim on the box were able to recall key elements of the disclaimer (something about amount of suction and 10 ounces of dirt).

25. Finally, respondents were shown the Hoover Fusion box for a second time. Interviewers then pointed to the disclaimer and asked respondents “What percentage of the dirt cup do you think 10 ounces of dirt would fill?” (Q5b). Over a quarter (28.8%) of respondents answered that they didn’t know. Twenty-three percent (23.1%) mentioned that they felt that 10 ounces of dirt would fill 75% or more of the dirt cup. Over two-fifths (44.2%) indicated that they believed that 10 ounces of dirt would fill 50% or more of the dirt cup. On the other hand, less than a quarter (23.6%) of respondents indicated that they felt that 10 ounces of dirt would fill one-third or less of the dirt cup, and 15.8% of respondents believed that 10 ounces of dirt would fill 25% or less of the dirt cup.

CONCLUSIONS

26. While “no loss of suction” was a prominent claim on the box of the Hoover Fusion vacuum cleaner, the accompanying disclaimer was neither recalled frequently nor comprehended often by consumers. Of those consumers who reported recalling the “no loss of suction” message, only about 15% reported noticing the disclaimer. Even fewer consumers (about 4%) recalled the message conveyed in the disclaimer. Moreover, when consumers were asked to read the disclaimer and were asked to indicate what percentage of the dirt cup they thought ten ounces of dirt would fill, most indicated either that they didn’t know (about 29%) or that they estimated that 10 ounces of dirt would fill 50% or more of the dirt cup (about 44%). Less than a quarter of respondents (about 24%) believed that 10 ounces of dirt would fill one-

third or less of the dirt cup, and 15.8% indicated that 10 ounces of dirt would fill 25% or less of the dirt cup.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: September 6, 2006


Michael B. Mazis, Ph.D.

EXHIBIT A

January 2005

MICHAEL B. MAZIS

WORK ADDRESS

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EDUCATION

B.S. in Economics, June, 1964
University of Pennsylvania, Wharton School

Master of Business Administration (M.B.A.) June 1966
New York University, Graduate School of Business Administration

Ph.D. in Business Administration, December 1971
The Pennsylvania State University
Major Field: Marketing
Minor Fields: Social Psychology/Quantitative Business Analysis

CURRENT POSITION

Professor of Marketing, August 1981 - present
Chair, Department of Marketing, June 1980 - August 1989; May 1998 - May 1999;
September 2004 - current
Associate Professor of Marketing, September 1979 - August 1981
The American University
Kogod School of Business
Washington, D.C.

PREVIOUS POSITIONS

Chief, Marketing and Consumer Research, July 1977 - August 1979
Office of Policy Planning and Evaluation
Federal Trade Commission
Washington, D.C.

Resident Consultant, February 1977 - July 1977
Division of National Advertising
Bureau of Consumer Protection
Federal Trade Commission
Washington, D.C.

Economist, June 1976 - February 1977
Division of Drug Advertising
Bureau of Drugs
Food and Drug Administration
Rockville, Maryland

Assistant Professor of Marketing, September 1971 - August 1974
Associate Professor of Marketing, September 1974 - June 1976
University of Florida
Gainesville, Florida

Marketing Research Analyst, September 1965 - August 1968
Warner-Lambert Pharmaceutical Company
Morris Plains, New Jersey

EDITORSHIPS

Editor, *Journal of Public Policy & Marketing*, 1992-1995

Michael B. Mazis, ed., *Journal of Public Policy & Marketing*, Vol. 10 (Number 1, 1991), special conference issue

Associate Editor, *The Journal of Consumer Affairs*, 1998-2001.

Michael B. Mazis, ed., Proceedings of 1982 American Psychological Association Conference, Division 23 (Consumer Psychology).

Louis Morris, Michael Mazis and Ivan Barofsky, eds., *Product Labeling and Health Risks*, Banbury Center, Cold Spring Harbor Laboratory, New York, 1980, 328 pages.

GRANTS

Michael B. Mazis, "Evaluating Health Warning Labels for Alcoholic Beverages," National Institute on Alcohol Abuse and Alcoholism, September 1989-September 1992 (\$700,000) and grant supplement, 1990-1992 (\$65,000).

Michael B. Mazis, "Marketing and Public Policy: Issues for the 1990's," American Marketing Association, to fund workshop in Washington, D.C., August 1990 (\$500).

PROFESSIONAL PUBLICATIONS

1. Stephen Miller, Michael B. Mazis and Peter L. Wright, "Perceptual Distortion in the Development of Brand Attitudes: A Cognitive Model," in David L. Sparks (ed.), *Broadening the Concept of Marketing*, American Marketing Association, 1970, p. 119 (abstract).
2. Michael B. Mazis and Robert Green, "Implementing Social Responsibility," *MSU Business Topics*, Vol. 13 (Winter 1971), pp. 68-76 (Reprinted in W. P. Anthony, J.B. Haynes and P. L. Wilkens (eds.) *Social Responsibility of Business*, General Learning Press, 1972 and A.B. Carroll (ed.), *Managing Corporate Social Responsibility* Little, Brown and Company, 1977).
3. Stephen Miller, Michael B. Mazis, and Peter L. Wright, "The Influence of Brand Ambiguity on Brand Attitude Development," *Journal of Marketing Research*, Vol. 8 (November 1971), pp. 447-9.
4. Michael B. Mazis, "Decision-Making Role and Information Processing," *Journal of Marketing Research*, Vol. 9 (November 1972), pp. 447-9.
5. Michael B. Mazis, and Timothy W. Sweeney, "Novelty and Personality with Risk as a Moderating Variable," in Boris W. Becker and Helmut Becker (eds.) *Marketing Education and the Real World*, American Marketing Association, 1972, pp. 406-11.
6. Michael B. Mazis and R. Eugene Klippel, "Variable Modular Testing: A New Method for Increasing Student Motivation and Learning in Large Classes," in Boris W. Becker and Helmut Becker (eds.), *Marketing Education and the Real World*, American Marketing Association, 1972.
7. Michael B. Mazis and Robert B. Settle, "Consumer Reaction to Restriction of Choice Alternatives," in M. Venkatesan (ed.), *Proceedings*, Third Annual Association for Consumer Research Conference, 1972, pp. 417-27.

8. Michael B. Mazis and Marilyn Beutenmuller, "Attitudes Toward Women's Liberation and Perception of Advertisements," in M. Venkatesan (ed.), *Proceedings*, Third Annual Association for Consumer Research Conference, 1972, pp. 428-35.
9. Michael B. Mazis, "Cognitive Tuning and Receptivity to Novel Information," *Journal of Experimental Social Psychology*, Vol. 9 (July 1973), pp. 307-19.
10. Michael B. Mazis, Robert B. Settle and Dennis C. Leslie, "Elimination of Phosphate Detergents and Psychological Reactance," *Journal of Marketing Research*, Vol. 10 (November 1973), pp. 390-5.
11. Michael B. Mazis, Dan M. Smith and Kenneth C. Cosgrove, "The Influence of Personality, Interviewer Race and Respondent Race on Responses to a Racially-Oriented Questionnaire," in Thomas V. Greer (ed.), *Combined Proceedings*, American Marketing Association, 1973, pp. 309-13.
12. Michael B. Mazis and Dan M. Smith, "A Comparison of General and Product Specific Risk Measures in the Prediction of Gasoline Purchases," in Robert L. King (ed.), *Advances in Consumer Proceedings*, American Marketing Assoc., 1973, pp. 309-13.
13. Michael B. Mazis and R. Eugene Klippel, "Instrumentality Theories and Consumer Attitudes: Comparing Alternative Models," in Peter L. Wright (ed.), *Advances in Consumer Research*, Vol. 1, Association for Consumer Research, 1973, pp. 346-7 (abstract).
14. Michael B. Mazis and John Faricy, "Consumer Response to the Meat Boycott," in Ronald C. Curhan (ed.), *Combined Proceedings*, American Marketing Association, 1974, pp. 329-33.
15. Michael B. Mazis, "Anti-Pollution Measures and Psychological Reactance: A Field Experiment," *Journal of Personality and Social Psychology*, Vol. 31 (April 1975), pp. 654-60. (Abstract published in *Psychology Today* and *Human Behavior*; conducted radio interview on Canadian Broadcasting Corporation's "As It Is" concerning the article. Reprinted in *Exploring Social Psychology: The Readings*, Steve L. Ellyson and Amy Halberstadt, editors, McGraw-Hill, 1994.)
16. Michael B. Mazis, Review of David A. Aaker and George S. Day eds., *Consumerism: Search for the Consumer Interest*, *Journal of Marketing*, Vol. 39 (April 1975), p. 113.
17. Michael B. Mazis, Olli T. Ahtola and R. Eugene Klippel, "A Comparison of Four Multi-Attribute Models in the Prediction of Consumer Attitudes," *Journal of Consumer Research*, Vol. 2 (June 1975), pp. 38-52.

18. John Faricy and Michael B. Mazis, "Personality and Consumer Dissatisfaction: A Multivariate Approach," in Edward M. Mazze (ed.), *Combined Proceedings*, American Marketing Association, 1975, pp. 202-5.
19. Dan M. Smith and Michael B. Mazis, "Racial Self-Identification and Self-Concept by Means of Unobtrusive Measures," *The Journal of Social Psychology*, Vol. 98 (1976), pp. 221-8.
20. Michael B. Mazis and Janis Adkinson, "An Experimental Evaluation of a Proposed Corrective Advertising Remedy," *Journal of Marketing Research*, Vol. 13 (May 1976), pp. 178-83 (Reprinted in Richard J. Lutz, editor, *Contemporary Perspectives in Consumer Research*, Kent Publishing Company, 1981).
21. Michael B. Mazis and John H. Faricy, "Teaching the Consumer Behavior Course: A Proper Blend of Theory, Applications and Presentation," for Special Education Issue of *Marketing News* (July 30, 1976).
22. Joel B. Cohen, Olli T. Ahtola, Michael B. Mazis and Lawrence J. Severy, "Extended Expectancy-Value Approach to Contraceptive Alternatives" in *Proceedings of the 84th Annual American Psychological Association Convention*, American Psychological Association, 1976 (abstract).
23. Peter H. Rheinstein and Michael B. Mazis, "Regulation of OTC Advertising: The FDA 'Prescription'," *Journal of the American Pharmaceutical Association*, Vol. 16 (September 1976), pp. 505-6, 524-5.
24. Louis A. Morris, Michael B. Mazis and Evelyn Gordon, "A Survey of the Effects of Oral Contraceptive Patient Information," *Journal of the American Medical Association*, Vol. 238 (December 5, 1977), pp. 2504-8.
25. Michael B. Mazis, Louis A. Morris and Evelyn Gordon, "Patient Recall and Attitudes about Two Forms of Oral Contraceptive Patient Information," *Medical Care*, Vol. 16 (December 1978), pp. 1045-54.
26. Albert Wildt and Michael B. Mazis, "Determinants of Scale Response: Label vs. Position," *Journal of Marketing Research*, Vol. 15 (May 1978), pp. 261-7.
27. Michael B. Mazis and Dennis McNeill, "The Use of Marketing Research in FTC Decision making," Subhash C. Jain (ed.), *Research Frontiers in Marketing: Dialogues and Directions*, American Marketing Association, 1978, pp. 308-11.
28. Michael B. Mazis, "Overview of 'Can and Should the FTC Restrict Advertising to Children's Workshop'," in William L. Wilkie (ed.), *Advances in Consumer Research*, Vol. 6, Association for Consumer Research, 1978, pp. 3-6.

29. Kenneth L. Bernhardt and Michael B. Mazis, "Evaluating Consumer Protection Programs," in Thomas C. Kinnear, et. al. (eds.), *Public Policy Issues in Marketing*, Division of Research, Graduate School of Business Administration, University of Michigan, 1979, pp. 48-62.
30. Michael B. Mazis, "Effects of Information on Product-Related Perceptions," in Jerry C. Olson, ed., *Advances in Consumer Research*, Vol. 8, Ann Arbor, Michigan: Association for Consumer Research, 1980, pp. 538-40.
31. Michael B. Mazis and Louis A. Morris, "Evaluation of the Food and Drug Administration's Patient Package Insert Program," *Proceedings*, 1980 American Psychological Association, Division 23.
32. Michael B. Mazis, "The Future of Consumer Protection Regulation" in Kent B. Monroe, ed., *Advances in Consumer Research*, Vol. 9, Ann Arbor, Michigan: Association for Consumer Research, 1981, pp. 455-7.
33. Kenneth Bernhardt, Thomas Kinnear, Michael Mazis and Bonnie B. Reece, "Impact of Publicity on Corrective Advertising Effects," in Kent B. Monroe, ed., *Advances in Consumer Research*, Vol. 9, Ann Arbor, Michigan: Association of Consumer Research, 1981, pp. 414-15.
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35. Michael B. Mazis, Richard Staelin, Howard Beales and Steven Salop, "A Framework for Evaluating Consumer Information Regulation," *Journal of Marketing*, Vol. 45 (Winter 1981), pp. 11-21.
36. Howard Beales, Michael B Mazis, Steven C. Salop and Richard Staelin, "Consumer Search and Public Policy," *Journal of Consumer Research*, Vol. 8, (June 1981), pp. 11-22.
37. Michael B. Mazis and Richard Staelin, "Information Processing Principles for Public Policy Making," *Journal of Public Policy & Marketing*, Vol. 1 (1982), pp. 3-14.
38. Michael B. Mazis, "Effectiveness of Required Information Disclosures to Consumers," in Paul N. Bloom, ed., *Consumerism and Beyond: Research Perspectives on the Future Social Environment*, Cambridge, Mass.: Marketing Science Institute, 1982, pp. 75-8.
39. Michael B. Mazis, Dennis McNeill and Kenneth Bernhardt, "Day-After Recall of Listerine Corrective Commercials," *Journal of Public Policy & Marketing*, Volume 2 (1983), pp. 29-37.

40. William L. Wilkie, Dennis McNeill and Michael Mazis, "Marketing's 'Scarlet Letter': The Theory and Practice of Corrective Advertising," *Journal of Marketing*, Vol. 48 (Spring 1984), pp. 11-31.
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42. Ronald Hill and Michael B. Mazis, "Measuring Emotional Responses to Advertising," in Richard Lutz, ed., *Advances in Consumer Research*, Vol. 13, Association for Consumer Research, 1986, pp. 164-69.
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45. Louis A. Morris, Michael B. Mazis and David Brinberg, "Risk Disclosures in Televised Prescription Drug Advertising to Consumers," *Journal of Public Policy & Marketing*, Vol. 8 (1989), 64-80.
46. Michael B. Mazis, "The Marketing of Alcohol: A Spirited Debate," in William L. Wilkie and Patrick E. Murphy, eds., *The Federal Trade Commission in the 1990's*, University of Notre Dame Press, 1990, 221-233.
47. Michael B. Mazis, "Priority Public Policy Research Needs for the 1990's," in William L. Wilkie and Patrick E. Murphy, eds., *The Federal Trade Commission in the 1990's*, University of Notre Dame Press, 1990, 369-373.
48. Michael B. Mazis, Louis A. Morris and John L. Swasy, "An Evaluation of the Alcohol Warning Label: Initial Survey Results," *Journal of Public Policy & Marketing*, Vol. 10 (Spring 1991), 229-41.
49. Michael B. Mazis, Review of Jef I. Richards, *Deceptive Advertising: Behavioral Study of a Legal Concept*, *Journal of the Academy of Marketing Science*, Vol. 20 (Winter 1992), 99-100.
50. Michael B. Mazis, Debra Jones Ringold, Elgin S. Perry, and Daniel W. Denman, "Perceived Age and Attractiveness of Models in Cigarette Advertisements," *Journal of Marketing*, Vol. 56 (January 1992), 22-37.

51. Louis A. Morris, John L. Swasy, and Michael B. Mazis, "Accepted Risk and Alcohol Use During Pregnancy," *Journal of Consumer Research*, Vol. 21 (June 1994), 135-144.
52. Manoj Hastak, Romana L. Horst, and Michael B. Mazis, "Consumer Perceptions About and Comprehension of Environmental Terms: Evidence From Survey Research Studies" in Debra Jones Ringold, ed., *Proceedings of the Marketing and Public Policy Conference*, Vol. 4, Baltimore, MD, May, 1994, 94-108.
53. Michael B. Mazis, "The Cellular Telephone Cancer Scare," in *When Lightning Strikes: A How-To Crisis Manual with Classic Case Studies*, Wayne L. Pines, ed., Washington, DC: Washington Business Information, Inc., 1994, 279-290.
54. Michael B. Mazis, "Conducting Research on Nontraditional Media in the Marketing of Alcoholic Beverages," Susan Martin, ed., *The Effects of the Mass Media on the Use and Abuse of Alcohol*, Research Monograph No. 28, NIH Publication 95-3743, Washington, DC: U. S. Department of Health and Human Services, 1995, 239-244.
55. Louis A. Morris, Manoj Hastak, and Michael B. Mazis, "Consumer Comprehension of Environmental Advertising and Labeling Claims," *Journal of Consumer Affairs*, Vol. 29 (Winter 1995), 328-350.
56. Gary T. Ford and Michael B. Mazis, "Informing Buyers of Risks: An Analysis of the Marketing and Regulation of All-Terrain Vehicles," *Journal of Consumer Affairs*, Vol. 30 (Summer 1996), 90-123.
57. Michael B. Mazis, "Copy-Testing Issues in FTC Advertising Cases," in Ronald Paul Hill and Charles R. Taylor, eds., *Proceedings of the Marketing and Public Policy Conference*, Vol. 6, Chicago, IL: American Marketing Association, 1996, 122-130.
58. Michael B. Mazis, Louis A. Morris and John L. Swasy, "Longitudinal Study of Awareness, Recall, and Acceptance of Alcohol Warning Labels," *Applied Behavioral Science Review*, 4 (1996, Number 2), 111-120.
59. Michael B. Mazis and Mary Anne Raymond, "Consumer Perceptions of Health Claims in Advertisements and on Food Labels," *Journal of Consumer Affairs*, Vol. 31 (Summer 1997), 10-26.
60. Michael B. Mazis, "Marketing and Public Policy: Prospects for the Future," *Journal of Public Policy & Marketing*, Vol. 16 (Spring 1997), 139-143.
61. Michael B. Mazis and Louis A. Morris, "The Channel," in Michael S. Wolgalter, John W. Brelsford, David M. DeJoy, and Kenneth R. Laughery, eds., *Warnings and Risk Communication*, London, England: Taylor & Francis, 1999, pp. 99-122.

62. Michael B. Mazis, "*FTC v. Novartis: The Return of Corrective Advertising?*," *Journal of Public Policy & Marketing*, Vol. 20 (Spring, 2001), 114-122.
63. Manoj Hastak, Michael B. Mazis, and Louis A. Morris, "The Role of Consumer Surveys in Public Policy Decision Making," *Journal of Public Policy & Marketing*, Vol. 20 (Fall 2001), 170-185. (Recipient of Thomas C. Kinnear/*Journal of Public Policy & Marketing* Outstanding Article Award presented by American Marketing Association for articles published 1999-2001.)

PROFESSIONAL ACTIVITIES

Editorial Review Board, *Journal of Public Policy & Marketing*, 1982-present.

Editorial Review Board, *The Journal of Consumer Affairs*, 1998-present.

Editorial Review Board, *Journal of Current Issues & Research in Advertising*,
2002-present

Editorial Review Board, *Journal of Marketing*, 1991-1996.

Board of Directors, Association for Consumer Research (ACR), 1979-81.

Leadership Board, "Marketing and Society," American Marketing Association (AMA)
Special Interest Group, 2003-present.

Manuscript reviewer for AMA Educator's Conferences, 1976-2004; ACR Conference, 1978-1996; Marketing and Public Policy Conference, 1992-2004; Academy of Marketing Science Conference, 1994; American Academy of Advertising Conference, 1994; ACCI Conference, 2004; *Journal of Consumer Research*, 1980, 1985-1990, 2000; *Decision Sciences*, 1977 and 1980; *Journal of Marketing*, 1981, 1987, 1990-1991, 1999, 2001-2004; *Journal of Advertising*, 2002 and 2004; *Journal of Marketing Research*, 1985-1987, 1992; *Journal of Consumer Affairs*, 1989, 1991-1992, 1995, 1997; *Psychology and Marketing*, 1990 and 1997; *Journal of Business Research*, 1991; *Journal of the Academy of Marketing Science*, 1991; *International Journal of Research in Marketing*, 1992; *Safety Science*, 1992; *Alcoholism: Clinical and Experimental Research*, 1994; *Journal of Business Ethics*, 1997; *American Business Law Journal*, 1998, .

Conference Co-chair, Marketing and Public Policy Conference, Washington, DC, 2003.

Conference Director, AMA Workshop, "Marketing and Public Policy: Issues for the 1990's," Washington, D.C., August 1990.

Proposal reviewer for the National Science Foundation, 1978. Discussant at AMA Educators' Conference, 1976 and ACR Conference, 1979, 1981, and 1983. Session Chair, AMA Educators' Conference, 1981 and 1988. Discussant at International Conference on Research in the Consumer Interest, 1987 and at American Psychological Association Conference, 1986.

Invited lecturer at University of Kentucky, University of South Carolina, Duke University, University of Maryland, George Washington University, Penn State University, Georgetown University, and Queen's University.

Presented papers at AMA Educators' Conference, 1970, 1975, 1978, 1988, 1992, and 1994; ACR Conference, 1972-1973, 1977, 1979-1980, 1983, 1985, 1992, and 1994; Marketing and Public Policy Conference, 1990, 1992-2003; American Public Health Association Conference, 1991; Southern Marketing Association Conference, 1972 and 1973; American Psychological Association Conference, 1976 and 1980; Academy of

Marketing Science Conference, 1992; AMA Doctoral Consortium, 1992 and 1993; AMA Faculty Consortium on Ethics and Social Responsibility, 1995; AMA mini-conference on Environmental Issues, 1996; AMA mini-conference on Teaching of Public Policy, 1997.

Presented papers at American Assembly of Collegiate Schools of Business, 1979; Association of National Advertisers' Annual Meeting, 1979; J.C. Penney Consumer Affairs Forum, 1979; American Marketing Association (Washington Chapter), 1979; U.S. Regulatory Council's Innovative Techniques Workshop, 1980; MSI Conference: "Consumerism and Beyond: Research Perspectives on the Future Social Environment," 1982; American Advertising Federation Spring Government Affairs Conference, 1989; "The Federal Trade Commission in the 1990's," University of Notre Dame, 1989; Federal Trade Commission Marketing Symposium, 1991 and 1992; Drug Information Association, 1992; American Bar Association Conference: "How to Launch or Defend Against Competitive Challenges to Advertising Claims," 1995; National Advertising Division Workshop on Consumer Perception Communications Surveys, Council of Better Business Bureaus, 1996.

Organized special sessions at ACR Conference on children's advertising regulation, 1978, and on corrective advertising, 1980. Organized pre-conference workshop "Current Developments at the FTC and FDA" for 2000 Marketing and Public Policy Conference. Organized panel on disclosure research at FTC/NAD Conference "Disclosure Exposure," 2001.

Participated in writing, "Review of the Research Literature on the Effects of Health Warning Labels: A Report to the United States Congress," June 1987.

Wrote "The Effects of the FTC's Listerine Corrective Advertising Order" for Federal Trade Commission, 1981; "An Analysis of Homeowner Experiences with Ward-Corporation-Built Homes" for Federal Trade Commission, 1983; "An Analysis of All-Terrain Vehicle Advertising 1980-87" for Consumer Product Safety Commission, 1988; and "Summary and Analysis of Consumer Surveys on Environmental Claims in Advertising and Labeling" for Federal Trade Commission, 1992 (with Manoj Hastak and Romana Horst); "Consumers' Interpretation of Alternative Environmental Claims" for Federal Trade Commission, 1996 (with Manoj Hastak and Thomas J. Maronick).

Member of Advertising and Marketing Panel of the Surgeon General's workshop on Drunk Driving, 1989; Member of Working Group on the Effects of the Mass Media on the Use and Abuse of Alcohol, 1992.

CONSULTANCIES

Served as the FTC's principal marketing witness in *FTC vs. Novartis* in 1997, *FTC vs. Trans Union* in 1998, *FTC v. Mercury Marketing*, 2003, and *FTC v. Telebrands*, 2004. Served also as a consultant on marketing issues for Federal Trade Commission, Food and Drug Administration, Department of Justice, Consumer Product Safety Commission, and the State of California.

HONORS

The American University Award as Outstanding Faculty Administrator (1985) and for Academic Program Development (1984)
Nominated for Teacher-Scholar Award (1983, 1985, 1989, and 1993)
Kogod College Award for Scholarship (1991)
Beta Gamma Sigma and Phi Kappa Phi
AACSB Federal Faculty Fellow, 1976-77

COURSES TAUGHT

Undergraduate: Consumer Behavior, Advanced Consumer Behavior, Marketing Research, and Principles of Marketing.

Graduate: Consumer Behavior, Marketing Research, Marketing Management, Doctoral Seminar in Consumer Research, Marketing and Public Policy, and Internet Marketing.

UNIVERSITY SERVICE

Elected to University Senate, 1980-1986, 1994-95.

University Senate Vice Chair, 1982-83, Parliamentarian, 1981-82, Nominating Committee, 1982-83, Executive Committee, 1981-83, Chair, Summer Sessions Committee, 1984-85, Secretary, The American University Club, 1988-89, Finance Committee, 1991-93.

AU 85 Committee on Faculty Utilization and Development, 1981-82
AU 100 Ad Hoc Committee, 1987; AU Smoking Task Force, 1988-92

Kogod College of Business Administration Faculty Evaluation Committee, 1979-80, Strategic Planning Committee, 1984-85, Chair, M.B.A. Committee, 1984-85, Rank and Tenure Committee, 1989-91 (chair), 2001-2004, Chair, Educational Policy Committee, 1991, MBA Task Force, 1991-1992 (chair) and 1994-96, Research Committee, 1993, 1996-98 (chair), MBA Oversight Committee, 1994-95, Member, Graduate Educational Policy Committee, 1996-1997, Member, Dean Search Committee, 1995-1996, Member, MBA Admissions Committee, 1995-98, Member, Search Committee for IT Center Director, 2001, Dean's Committee on Communication, 2001-2002.

Developed "Marketing Week," 1981-1983.

Developed "Marketing Career Extravaganza," a networking event for students at five Washington, DC area universities, 2001.

EXHIBIT B

TARGET RESEARCH GROUP INC.

PROJECT #113-06145

515 Airport Executive Park
Nanuet, NY 10954

August, 2006

	<u>HOUSEHOLD PRODUCTS STUDY</u> - SCREENER -	RESPONDENT ID# (Card 1; 1-6)
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EDITED BY: _____ FIELD SERVICE: _____ VALIDATED BY: _____

7-8/Z

<u>CITY:</u> (9,10,11) Atlanta (AG) 106 Los Angeles (MP) 090 Milwaukee (WI) 034 Minneapolis (MA) 072 New York (NY) 003 Philadelphia (PH) 002 Phoenix (AZ) 012 Tampa (CP) 050	<u>AGE/GENDER:</u> <u>Males</u> (12) 18 - 44 1 45 + 2 <u>Females</u> 18 - 44 3 45 + 4
--	--

SIGHT SCREEN FOR MALES/FEMALES 18 YEARS OF AGE OR OLDER

Hello, I'm _____ from Target Research Group, a nationwide market research organization. We're conducting a survey and I'd like to ask you a few brief questions. Let me assure you we are doing this for research purposes only and are not selling anything. We are only interested in your opinions which will be held in the strictest confidence.

NOTE: DO NOT CONTINUE INTERVIEW IF RESPONDENT HAS A HEARING, LANGUAGE OR OBVIOUS VISUAL PROBLEM.

A. **(DO NOT ASK:)** Record Gender

(13)

Male 1

Female 2

B. Please tell me which of the following groups includes your age? **(READ LIST)**

(14)

Under 18 1 → **(TERMINATE, ERASE & RE-USE SCREENER)**

18 - 44 2

45 or over 3

CHECK AGE QUOTAS. IF NEEDED, CONTINUE. IF OVER QUOTA, TERMINATE. CIRCLE BELOW, ERASE & RE-USE SCREENER.

(DO NOT READ) → Refused 4 → **(TERMINATE, ERASE & RE-USE SCREENER.)**

Q.B: Under 18/Refused											
1	2	3	4	5	6	7	8	9	10		(15)
11	12	13	14	15	16	17	18	19	20		(16)
Q.B: Over Quota 18-44											
1	2	3	4	5	6	7	8	9	10		(17)
11	12	13	14	15	16	17	18	19	20		(18)
Q.B: Over Quota 45+											
1	2	3	4	5	6	7	8	9	10		(19)
11	12	13	14	15	16	17	18	19	20		(20)



C. Which, if any, of the following products have you purchased in the past 12 months? (READ LIST)

	YES	NO	DON'T KNOW	
A new computer	1	2	3	(21)
A new TV set.....	1	2	3	(22)
A new <u>upright</u> vacuum cleaner	1	2	3	(23)

IF "YES" TO "NEW UPRIGHT VACUUM CLEANER," CONTINUE WITH Q.D.
IF "NO" OR "DON'T KNOW" TO "NEW UPRIGHT VACUUM CLEANER," SKIP TO Q.F.

D. About what was the price of the new upright vacuum cleaner that you purchased in the past 12 months – excluding any coupons, gift cards, or other discounts that you may have received? Was it less than \$100 or was it \$100 or more?

(24)

- Less than \$100 1 →(SKIP TO Q.F)
\$100 or more..... 2 →(CONTINUE WITH Q.E)
Don't know/No opinion 3 →(SKIP TO Q.F)

E. And what best describes your role in the purchase of the new upright vacuum cleaner? Would you say ... (READ LIST)

(25)

- You decided or helped to decide which upright vacuum cleaner brand was purchased 1 →(SKIP TO Q.H)
Or someone else decided which upright vacuum cleaner brand was purchased..... 2 →(CONTINUE WITH Q.F)
(DO NOT READ) Don't know/No opinion..... 3 →(CONTINUE WITH Q.F)

F. Are you likely to purchase a new upright vacuum cleaner that costs \$100 or more in the next 12 months?

(26)

- Yes..... 1 →(CONTINUE WITH Q.G)
No 2 →(TERMINATE. CIRCLE BELOW, ERASE AND RE-USE SCREENER)
Don't know/No opinion 3 →(TERMINATE. CIRCLE BELOW, ERASE AND RE-USE SCREENER)

Q.F: Not likely to purchase upright vacuum in next 12 mos./ Don't Know/No opinion											
1	2	3	4	5	6	7	8	9	10		(27)
11	12	13	14	15	16	17	18	19	20		(28)

G. And what best describes what is likely to be your role in the purchase of the new upright vacuum cleaner? Would you say ... (READ LIST)

(29)

- You are likely to decide or help to decide which upright vacuum cleaner brand to purchase 1 →(CONTINUE WITH Q.H)
Or someone else is likely to decide which upright vacuum cleaner brand to purchase..... 2 →(TERMINATE. CIRCLE BELOW, ERASE AND RE-USE SCREENER)
Don't know/No opinion..... 3 →(TERMINATE. CIRCLE BELOW, ERASE AND RE-USE SCREENER)

Q.G: Someone else likely to decide which upright vacuum to purchase/Don't Know/No opinion											
1	2	3	4	5	6	7	8	9	10		(30)
11	12	13	14	15	16	17	18	19	20		(31)



H. Do you or does any member of your household work in any of the following? (READ LIST.)

	Yes (32)	No (33)	DK/ Refused (34)
An advertising agency.....	1	1	1
A public relations firm.....	2	2	2
A marketing research firm.....	3	3	3
A manufacturer or distributor of vacuum cleaners.....	4	4	4
A store that sells vacuum cleaners.....	5	5	5

IF "YES" TO ANY, TERMINATE, CIRCLE BELOW.
ERASE AND REUSE SCREENER.

Q.H: Security Screen										(35)
1	2	3	4	5	6	7	8	9	10	(36)
11	12	13	14	15	16	17	18	19	20	

I. Have you participated in any marketing research survey other than a political poll during the past 3 months?

- (37)
- Yes 1 → (TERMINATE, CIRCLE BELOW. ERASE AND RE-USE SCREENER.)
- No 2 → (CONTINUE)
- Don't Know..... 3 → (TERMINATE, CIRCLE BELOW. ERASE AND RE-USE SCREENER.)

Q.I: Past Participation/Don't Know										(38)
1	2	3	4	5	6	7	8	9	10	(39)
11	12	13	14	15	16	17	18	19	20	

J. Do you usually wear eyeglasses or contact lenses when you read?

- (40)
- Yes 1 → (ASK Q.K)
- No..... 2 → (SKIP TO Q.L)

K. Are you wearing your contact lenses or do you have your glasses with you today?

- (41)
- Yes 1 → (CONTINUE)
- No..... 2 → (TERMINATE, ERASE AND RE-USE SCREENER)

Q.K: Don't Have Glasses or Contact Lenses with Them										(42)
1	2	3	4	5	6	7	8	9	10	(43)
11	12	13	14	15	16	17	18	19	20	

L. I've asked you these questions to see if you are eligible for a very brief interview. Since I have something to show you, I'd like you to come with me into the interviewing facility. It will only take a few minutes of your time and we think you will find it interesting. For your time, we will give you \$2 upon completing the survey. Are you willing to be interviewed? (IF RESPONDENT REFUSES, TERMINATE, ERASE AND RE-USE SCREENER.)

- (44)
- Yes 1 → (CONTINUE)
- No..... 2 → (TERMINATE, ERASE AND RE-USE SCREENER)

Q.L: Qualified Refusal										(45)
1	2	3	4	5	6	7	8	9	10	(46)
11	12	13	14	15	16	17	18	19	20	

47-79/Z; 80-1

- CIRCLE AGE/GENDER GROUP ON FRONT PAGE
- CIRCLE CITY ON FRONT PAGE
- ESCORT RESPONDENT TO INTERVIEWING AREA
- STAPLE COMPLETED SCREENER TO TOP OF COMPLETED MAIN QUESTIONNAIRE



EXHIBIT C

FOR OFFICE USE ONLY	<div>HOUSEHOLD PRODUCTS STUDY</div> <div>- MAIN QUESTIONNAIRE -</div> <div>- YELLOW -</div>	<div>RESPONDENT ID#:</div> <div>(Card 2; 1-6)</div>
------------------------	---	---

7-1

BEFORE ENTERING ROOM, BE SURE VACUUM CLEANER BOX IS OUT OF SIGHT.

SAY: Please have a seat and make yourself comfortable.

REFER TO SCREENER Q.J. IF RESPONDENT USUALLY WEARS "EYEGLASSES" THEN SAY:
If you usually wear eyeglasses when reading, please put them on now.

IF RESPONDENT DOES NOT HAVE GLASSES, THANK AND TERMINATE. RECORD BELOW.

NO GLASSES:	1	2	3	4	5	6	7	8	9	(8)
-------------	---	---	---	---	---	---	---	---	---	-----

Assume that you are in a store looking for a new upright vacuum cleaner, and you see a product that you might be interested in purchasing. I'm going to show you a box of this upright vacuum cleaner, which you may or may not have seen before. Whether or not you have seen this vacuum cleaner before, please read the information on the box as you would if you were considering purchasing this upright vacuum cleaner. Read the information on all four sides of the box. When you are finished, please let me know, and I will have a few questions for you.

- PLACE VACUUM CLEANER BOX ON TABLE WITH THE FRONT FACING THE RESPONDENT.
 - WHEN RESPONDENT IS FINISHED LOOKING AT THE BOX, PLEASE REMOVE BOX FROM SIGHT.

Now, I'm going to ask you some questions. There are no right or wrong answers to my questions. If you don't have an opinion or don't know an answer, please just tell me rather than taking a guess.

1. Please tell me all of the information that you can remember reading on the vacuum cleaner box.

(PROBE:) What else? (RECORD VERBATIM. PROBE UNTIL UNPRODUCTIVE.)

(9,10)

(11,12)

(13,14)

(15,16)

(17,18)

- 2a. Do you or don't you recall seeing any information on the box about "HEPA filtration"?

(19)

Yes, I do.....1

No, I don't2

Don't know/No opinion3

- 2b. Do you or don't you recall seeing any information on the box about "no loss of suction"?

(20)

Yes, I do.....1

No, I don't2

Don't know/No opinion3

3. Do you or don't you recall seeing a footnote with an asterisk at the bottom of the box?

(21)

Yes, I do.....1 →(CONTINUE WITH Q.3a)

No, I don't2 →(SKIP TO Q.4)

Don't know/No opinion3 →(SKIP TO Q.4)

- 3a. What did the footnote at the bottom of the box say? (PROBE:) What else? (RECORD VERBATIM. PROBE UNTIL UNPRODUCTIVE.)

(22,23)

(24,25)

(26,27)

(28,29)

(30,31)

4. Do you or don't you recall information on the box that referred to "10 ounces of dirt"?

(32)

Yes, I do.....1 →(CONTINUE WITH Q.4a)

No, I don't2 →(SKIP TO Q.5)

Don't know/No opinion3 →(SKIP TO Q.5)

- 4a. What did the information on the box say about "10 ounces of dirt"? (PROBE:) What else? (RECORD VERBATIM. PROBE UNTIL UNPRODUCTIVE.)

(33,34)

(35,36)

(37,38)

(39,40)

(41,42)

5. Here is the vacuum cleaner box that you just looked at.

SHOW VACUUM CLEANER BOX AGAIN WITH THE FRONT FACING THE RESPONDENT.

I'd like you to read this information in the footnote. (POINT TO THE FOOTNOTE WITH AN ASTERISK (*) AT THE BOTTOM LEFT CORNER OF THE FRONT OF THE BOX)

When you are finished, please let me know, and I will have some questions for you about the information.

KEEP VACUUM CLEANER BOX IN FRONT OF RESPONDENT.

- 5a. The information in the footnote states that "suction stays constant for up to 10 ounces of dirt." (POINT TO THE FOOTNOTE AGAIN WITH THE ASTERISK (*) AT THE BOTTOM LEFT CORNER OF THE FRONT OF THE BOX)

What does this phrase mean to you? (PROBE:) What else? (RECORD VERBATIM. PROBE UNTIL UNPRODUCTIVE.)

(43,44)

(45,46)

(47,48)

(49,50)

(51,52)



5b. What percentage of the dirt cup do you think ten ounces of dirt would fill? **(RECORD VERBATIM)**

_____ (53-55)

Don't know.....X

- **RESPONDENT AND INTERVIEWER MUST BOTH SIGN AND COMPLETE THE CERTIFICATION.**
- **COMPLETE RESPONDENT INFO ON NEXT PAGE.**



6. Thank you very much. Would you please sign this Certification Page so that I can prove to my supervisor that I interviewed you?

RESPONDENT CERTIFICATION

I certify that I was shown a vacuum box and was asked some questions about it.

Respondent's Signature

Date

INTERVIEWER CERTIFICATION

I certify that I carried out this interview in accordance with my interviewer instructions.

INTERVIEWER'S FULL NAME (PRINT): _____

Interviewer's Signature

Date

IF RESPONDENT REFUSES NAME OR PHONE NUMBER, PLEASE HAVE SUPERVISOR
SIGN BELOW AS ON-SITE VALIDATED.

Supervisor's Signature

Date

Respondent's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone Number: (____) _____ - _____

56-79/Z; 80-2



EXHIBIT D



Study #06145
Household Products Study
August, 2006

INTERVIEWERS INSTRUCTIONS

OVERVIEW

This is a central location study to be conducted in a permanent enclosed mall facility.

You will be sight screening for males and females on the mall who are 18 years of age or older and have purchased in the past 12 months or intend to purchase in the next 12 months an upright vacuum cleaner that cost at least \$100. Qualified respondents will be escorted back to the interviewing facility and be shown a vacuum cleaner box and asked a series of questions.

This is a one cell test. Everyone sees the same vacuum cleaner box.

STUDY MATERIALS

- Screeners (White)
- Main Questionnaires (Yellow)
- Practice Interviews (Pink)
- 1 Vacuum Cleaner Box

Quota/Assignment

Your supervisor will assign your quota

SCREENER/ELIGIBILITY

Eligible respondents are males and females who are 18 years of age or more:

- QA/B:** Respondent's age/gender is needed to complete a quota
- QC:** Has purchased a new upright vacuum cleaner in the past 12 months.
- QD:** The new upright vacuum cleaner cost \$100 or more
- QE:** Decided or helped decide which upright vacuum cleaner to purchase
- QF:** Is likely to purchase a new upright vacuum cleaner in the next 12 months that costs \$100 or more.
- QG:** The respondent will decide or help decide which upright vacuum cleaner to purchase
- QH:** Does not work or have anyone living in their household work in an advertising agency, a public relations firm, a marketing research firm, a manufacturer or distributor of vacuum cleaners or in a store that sells vacuum cleaners.
- QI:** Has not participated in a survey in the past 3 months
- QJ/K:** Has glasses or contact lenses with them if needed.
- QL:** Respondent agrees to be interviewed

MAIN QUESTIONNAIRE

There are 2 rotations of Qs. 2a and 2b that have been interleaved. Complete the questionnaires in the order you received them in. Continue interviewing until all 26 are completed.

MAIN QUESTIONNAIRES

Before the interview begins:

- Be sure the vacuum cleaner box is out of sight.
- Escort the respondent into the interviewing room and close the door.
- Respondent should be standing facing the table.
- If respondent indicated that he/she wears glasses or contact lenses for reading, be sure that he/she is wearing them.
- Only the respondent and the interviewer are to be in the interviewing room.
- When indicated, show the box by placing it on the table with the "front" of the box facing the respondent. A white sticker that says "Front" has been placed on the top right corner of the front of the box.
- When indicated, point to the footnote at the bottom left corner of the "front" of the box where there is a paragraph with one asterisk (*).

The paragraph reads as follows:

***Suction stays constant for up to 10 ounces of dirt, as tested by an independent laboratory using ASTM F558 test method and a dirt composition comprised of 70% mineral dust, 20% cellulose dust and fibrous material.**

MAIN QUESTIONNAIRE IN DETAIL

Read introduction.

Put the box on the table with the "front" of the box facing the respondent. When the respondent is finished examining the box, remove the box from sight and continue.

Q. 1: Read question. Record verbatim. Probe until unproductive.

Q. 2a/b: Record answers.

Q. 3: Record answer. Follow skip pattern.

Q. 3a: Ask if "yes" to Q. 3. Record answer verbatim. Probe until unproductive.

Q. 4: Record answer. Follow skip pattern.

Q. 4a: Ask if "yes" to Q. 4. Record answer verbatim. Probe until unproductive.

Q. 5: Show box again with the front facing the respondent. Point to the footnote, that is, the first paragraph with the asterisk (*) at the bottom left corner of the front of the box.

Q. 5a: Point to the words "suction stays constant for up to 10 ounces of dirt" in the paragraph. Record response verbatim. Probe until unproductive.

Q. 5b: Record response verbatim.

Respondent/Interviewer Certification Boxes

Both the respondent and the interviewer must sign in the appropriate Certification box on the last page of the questionnaire. If the respondent refuses to sign, his/her initials are acceptable.



Study #06145
Household Products Study
August, 2006

SUPERVISOR INSTRUCTIONS

OVERVIEW

This is a central location study to be conducted in a permanent enclosed mall facility.

You will be sight screening for males and females on the mall who are 18 years of age or older and have purchased in the past 12 months or intend to purchase in the next 12 months an upright vacuum cleaner that cost at least \$100. Qualified respondents will be escorted back to the interviewing facility and be shown a vacuum cleaner box and asked a series of questions.

This is a one cell test. Everyone sees the same vacuum cleaner box.

STUDY MATERIALS

- Screeners (White)
- Main Questionnaires (Yellow)
- Practice Interviews (Pink)
- 1 Vacuum Cleaner Box
- Supervisor Instructions
- Interviewer Instructions
- Master Quota sheet
- Security Procedures
- Respondent Number Worksheet
- Study/Shipping Schedule
- Shipping Instructions
- Validation Forms
- Daily Report Forms
- Audio Tape (You supply)—to tape the Briefing

Quota/Assignment

You are to complete a total of 26 interviews as detailed on your Master Quota sheets. See your Master quota sheet for specific gender and age breaks.

- Males 18-44
- Males 45+
- Females 18-44
- Females 45+

SCREENER/ELIGIBILITY

Eligible respondents are males and females who are 18 years of age or more:

- QA/B:** Respondent's age/gender is needed to complete a quota
- QC:** Has purchased a new upright vacuum cleaner in the past 12 months.
- QD:** The new upright vacuum cleaner cost \$100 or more
- QE:** Decided or helped decide which upright vacuum cleaner to purchase
- QF:** Is likely to purchase a new upright vacuum cleaner in the next 12 months that costs \$100 or more.
- QG:** The respondent will decide or help decide which upright vacuum cleaner to purchase
- QH:** Does not work or have anyone living in their household work in an advertising agency, a public relations firm, a marketing research firm, a manufacturer or distributor of vacuum cleaners or in a store that sells vacuum cleaners.
- QI:** Has not participated in a survey in the past 3 months
- QJ/K:** Has glasses or contact lenses with them if needed.
- QL:** Respondent agrees to be interviewed

MAIN QUESTIONNAIRE

You have received a supply of 26 main questionnaires. There are 2 rotations of Qs. 2a and 2b that have been interleaved. Complete the questionnaires in the order you received them in. Continue interviewing until all 26 are completed.

Before the interview begins:

- Be sure the vacuum cleaner box is out of sight.
- Escort the respondent into the interviewing room and close the door.
- Respondent should be standing facing the table.
- If respondent indicated that he/she wears glasses or contact lenses for reading, be sure that he/she is wearing them.
- Only the respondent and the interviewer are to be in the interviewing room.
- When indicated, show the box by placing it on the table with the "front" of the box facing the respondent. A white sticker that says "Front" has been placed on the top right corner of the front of the box.
- When indicated, point to the footnote at the bottom left corner of the "front" of the box where there is a paragraph with one asterisk (*).

The paragraph reads as follows:

***Suction stays constant for up to 10 ounces of dirt, as tested by an independent laboratory using ASTM F558 test method and a dirt composition comprised of 70% mineral dust, 20% cellulose dust and fibrous material.**

SECURITY

All materials related to this study are the property of Target Research Group and our client. You are responsible for all materials being used on this study. All materials are to be kept in a secure location, accessible ONLY to those working on the test and out of sight of anyone not directly involved in the study.

No one representing Target Research Group or our client is to be admitted to the facility or have access to the materials without your first calling Target Research Group to confirm. Further, no one is to be permitted access to the facility or materials without showing satisfactory identification. It is also essential that no person on your staff discuss the study or its topic outside of your offices.

SCREENING LOCATION

If permitted, you are to be stationed throughout the mall to provide the most efficient screening coverage. You must screen for this project only. You may not "double screen" or "piggyback."

DO NOT INTERVIEW ANYONE WITH A HEARING, LANGUAGE OR SIGHT DISABILITY.
--

INTERVIEW PROCEDURES

You must conduct the interview in a room with a door. The respondent should not be able to hear any sounds from outside the room or have visual interference from another interviewing station.

STAFFING

Each interviewer working on this study should not complete less than 3 interviews or more than 9.

- All interviewers while screening and interviewing on this study are not to be screening or interviewing on any other study.
- You will need experienced interviewers who are good at administering, probing and recording open-ended responses. You may not use an inexperienced or "new" interviewer. They must write legibly.
- **Interviewers are to record the responses verbatim.** Interviewers are to record **ONLY** the answers to the question. Do not record "thoughts or comments" that may be said aloud by the respondent. This means absolutely **NO** paraphrasing.

This questionnaire is largely an open-ended interview. Recording comments verbatim and probing ONLY where indicated are very important and should be monitored carefully. Without proper recording of the verbatim responses, this questionnaire becomes worthless. A supervisor MUST check the interviews as they are being done. If you see that a certain interviewer is not recording the answers verbatim or whose writing is not legible, re-brief and replace.

All work should be edited as soon as the interview is completed in order to spot errors and quickly bring them to an interviewer's attention.

BRIEFING AND PRACTICE MATERIALS

Practice Interviews

All personnel involved in the study must attend a personal briefing. **The supervisor must record the briefing on audio tape and return it to us with your final shipment of Screener/Questionnaires.** All interviewers must do at least one Practice Interview. Should it be necessary to assign to this study any interviewers who did not attend the original briefing, then an additional formal briefing of that staff **MUST** be held by a qualified supervisor.

All Practice Interviews must be monitored and reviewed by the supervisor – and any problems cleared up – before actual interviewing begins. It is your responsibility:

- 1) To check each interview to be sure that each interviewer completely understands how to administer the screener and main questionnaire and to obtain the information needed to contact the respondent again for validation, and
- 2) To check each interview to be sure that all skip patterns are followed and that each interviewer completely understands how to administer the questionnaire.

Any problem areas must be discussed with the interviewer before any actual screening and/ or interviewing is begun. If you have any questions, please call this office.

MAKE SURE YOU ARE FAMILIAR WITH THE SCREENER, THE QUESTIONNAIRE, THE HANDLING OF THE VACUUM CLEANER BOX AND THE INSTRUCTIONS BEFORE YOU BRIEF.

Writing Implements

- **Use pencil for Screeners.** Because you will be erasing and re-using the Screeners, pencil is the required writing implement.
- **However, for the Main Questionnaire, you MUST use only blue or black ball-point pen (do not use erasable ink pens).** For the purpose of this study, Main Questionnaires **not** recorded in blue or black pen will be considered invalid and will not be included in the project or paid for. On the main questionnaire, cross out if necessary.

Screener And Questionnaire Administration Procedures

Asking The Questions

Interviewers should follow all directions and read all questions EXACTLY as written. Interviewers must not paraphrase a question or re-word it. Words that are underlined in a question are to be emphasized when reading the question. If, at any time, the respondent does not seem to understand something, the interviewer should not attempt to interpret the meaning, but slowly re-read the question from the screener or questionnaire, pause and wait for an answer. If the respondent still does not understand, the interviewer should just say, "Whatever you take that to mean," or "However you understand that."

Probe where indicated on the questionnaire using ONLY the probes that are provided at specific questions. DO NOT use any other probes/clarifications or probe/clarify where it is not called for. The exception to this is that interviewers may clarify spelling of any company or business names that are not familiar to them. Consistency among interviewers is essential and is possible ONLY if everyone follows these instructions.

Recording The Answers

Answers on the screener should be recorded in dark (No.2) pencil. Erasing is acceptable on the screener if a respondent is terminated for not meeting a qualification and that screener will be reused.

Answers on the main questionnaire should be recorded in black or blue ball-point pen. NO ERASURES are permitted on the questionnaire. If a recording error is made, the interviewer should draw a line through the erroneous answer; write in the correct answer and initial where the change was made. The interviewer must initial any changes made to the questionnaire.

All recording on BOTH the screener and questionnaire must be done strongly enough so they can be legibly photocopied.

Answers to close-ended questions are to be recorded by circling the number next to the appropriate answer.

Answers to open-ended questions are to be recorded in the appropriate space under the question. If more space is required to answer a question, the back of the page should be used, being sure to label answers so it is clear which question's answer is being written down.

OPEN-END ANSWERS ARE TO BE RECORDED VERBATIM THIS MEANS WRITE DOWN WHAT THE RESPONDENT SAYS JUST THE WAY THE RESPONDENT SAYS IT. WRITE IT ALL DOWN. DO NOT PARAPHRASE. DO NOT EDIT. DO NOT ERASE. THE INTERVIEWER MUST DRAW A LINE THROUGH ANY INCORRECT WORDS AND ENTER THE NEW CORRECT WORDS. ALL CHANGES MUST BE INITIALED BY THE INTERVIEWER. INTERVIEWERS SHOULD WRITE OR PRINT SLOWLY ENOUGH SO THAT THE ANSWER IS LEGIBLE.

IF YOU HAVE INTERVIEWERS WHO YOUR EXPERIENCE INDICATES CANNOT DO VERBATIM RECORDING THOROUGHLY, PLEASE DO NOT ASK THEM TO WORK ON THIS STUDY!

Penmanship counts! If we cannot read an answer, we cannot use it or the questionnaire!

Following Instructions

There are skips in the questionnaire. Be sure that interviewers are thoroughly familiar with them before starting to interview.

Respondent/Interviewer Certification Boxes

Both the respondent and the interviewer must sign in the appropriate Certification box on the last page of the questionnaire. If the respondent refuses to sign, his/her initials are acceptable.

Each interviewer is to read his/her Interviewer Instructions and sign them. Each interviewer's signed Instructions are to be stapled to his/her practice interview and returned at the end of the study.

STUDY ADMINISTRATION

Editing

All completed work must be 100% edited for 100% accuracy and completeness on a continuing basis. Editor's initials must appear on the first page of the screener and on the first page of the questionnaire. Be sure that each respondent qualifies to be interviewed and that each appropriate question has a response. In editing check for:

- Completeness of information on the front of each screener (market, version, age/gender)
- Verbatim capture of responses
- Proper skip patterns
- Legible handwriting
- NO erasures on the Main Questionnaire

If an interviewer appears not to be following instructions exactly, please alert them to that as soon as possible and take remedial action if needed.

If any response on the questionnaire is unclear for any reason, please clarify it with the interviewer. **NO ERASURES ARE PERMITTED ON THE QUESTIONNAIRE.** The unclear or illegible words will be crossed out by the interviewer, and the correct words will be legibly written next to it by the interviewer. The interviewer must initial any changes made to the questionnaire, not the editor.

Master Quota Sheet

In this shipment you have been provided with One Master Quota sheet. Make sure you review the Master Quota sheet. All over quota interviews will NOT be accepted.

Respondent Numbers

In this shipment is a respondent number worksheet. This form is for your use only and does not need to be returned to TRG. The numbers listed on this form are unique to your location and are the only respondent numbers you may use. No one respondent number can be assigned to more than one respondent. Additionally, the three numbers to the left of your location on the Master Quota Sheet and the three numbers to the right of your location on the front of the screener must match the first three numbers on your respondent number worksheet. When you are editing the questionnaires, make sure the correct city is circled on the front of the screener.

Quality Control Procedures

ANY WORK RECEIVED BY OUR OFFICE WHICH HAS NOT BEEN SUBJECT TO THE FOLLOWING PROCEDURES WILL BE SUBJECT TO A PAYMENT ADJUSTMENT.

Strict quality control is a primary Supervisor responsibility. Target Research Group requires that the following controls be followed:

1. This study must be screened by itself, not along with any other projects.
2. No more than one respondent per shopping group should be screened.
3. Friends, relatives or acquaintances must NOT be interviewed.
4. No one is to be in the interviewing room with the respondent, except a small child if necessary.
5. Anyone accompanying the respondent must wait for the respondent in the waiting room.
6. Interviewing should not be conducted with anyone who has a hearing, visual or English language problem.

Validation Sheets

- o List only ONE interviewer's work on a validation sheet.
- o Fill out all required respondent information, interviewer name, city and the quota groups (cell color, gender and age).
- o Be sure about indicating correct area code for every respondent.
- o Write listings in black or blue ink ONLY.
- o **Do not phone validate, since we will be independently validating 100% of every interviewer's work.**
- o You must however, monitor each interviewer's work for eligibility and completeness.
- o SEND VALIDATION SHEETS WITH EVERY SHIPMENT

Handling "No Phone" or "Refused Phone"

The Supervisor must attempt to do a telephone lookup for all respondents who do not give a phone number. If a number is not found, indicate that you have attempted to look-up by writing "L.U." on the validation form.

Daily Reporting/Transmission/Study Management

The daily report must be faxed (845-426-6890 or 845-426-1218) to my office not later than 8:30 AM ET Monday through Friday. You may find it necessary to fax the report the night before or at the end of your shift. At whatever time you need to cut off the figures to ensure the report is in my office by the designated time is fine. Make sure that you are recording the interviews and terminations accurately on the daily report, it is imperative that this information is recorded correctly.

Schedule

In this shipment is a study schedule. The schedule will outline for you the study dates AND the dates of any partial shipments of completed questionnaires. Make sure all related personnel are familiar with this schedule.

Please note that in addition to the completed materials to be returned to us upon completion of this study, all display materials must be returned to this office. Refer to Shipping Instructions and Schedule for shipping specifics.

Study Management

Please read the instructions and brief the study carefully. Prior to beginning the study if you have any questions, contact my office at 845-426-1200. As always, if during the study you should encounter any problems, call me, fax me, but let me know. Your assistance in ensuring the quality of this study is greatly appreciated.

Thank you,

Nelson Davis